

RESOLUTION NO. R-86-845

RESOLUTION APPROVING ZONING PETITION 73-116 (A), Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 73-116 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd May 1986; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan. With minor site plan modification, the proposal will be consistent with Zoning Code requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 2nd of May 1986, that Petition No. 73-116 (A) the petition of SANDALFOOT PLAZA ASSOCIATES By Bruce Parrish, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-116, TO INCREASE THE TOTAL FLOOR AREA on a certain parcel of land in Sections 25 and 36, Township 47 South, Range 41 East, being, in part, a portion of Tracts 55 and 56 and of the abandoned 15 foot wide roadway on the South side of said Tract 56 as all are shown on Florida Fruit Lands Company's Subdivision No. 2 of said Section 25, as same is recorded in Plat Book 1 at Page 102, said parcel of land being more particularly described as follows:

Beg'inning at the Northeast corner of said Section 36, Township 47 South, Range 41 East, as same is used and defined on the Plat of Watergate, according to the plat thereof recorded in Plat Book 29, Page 29, thence run North 38 degrees 54'16" West along the North line of said Section 36, a distance of 247.60 feet to the intersection thereof with the Ultimate West right-of-way line of State Road No. 7, (U.S. Highway No. 441), as same is recorded in Official Record Book 2370, Page 130, and to the Point of Beginning; thence due North along said ultimate West right-of-way line a distance of 42.05 feet; thence North 0 degree 28'33" East, along said Ultimate West right-of-way line, a distance of 402.46 feet to the intersection thereof with the Southerly right-of-way line of Sandalfoot Boulevard West, as same is recorded in Official Record Book 1848, Page 1615; thence North 89 degrees 04'09" West, along said Southerly right-of-way line, a distance of 121.21 feet to a point of curvature of a curve concave to the South, having a central angle of 22 degrees 41'02", a radius of 733.94 feet and along chord bearing South 10 degrees 24'40" West; thence Southwesterly along said Southerly right-of-way line and along the arc of said curve a distance of 290.57 feet to a point of reverse curvature; thence Southwesterly along said Southerly right-of-way line and the arc of a curve concave to the Northwest, having a central angle of 3 degrees 10'23", and a radius of 793.94 feet, a distance of 43.97 feet; thence South 0 degree 25'44" West a distance of 370.63 feet to the intersection thereof with said North line of Section 36, being also the North line of Boca Entrada Plat No. 1, according to the plat thereof recorded in Plat Book 31, Pages 95 and 96; thence South 88 degrees 54'16" East, along said North line of Section 36, a distance of 149.91 feet to the Northeast corner of Parcel A-2, of said Boca Entrada Plat No. 1, thence due South, along the East line of said Parcel A-2, a distance of 420.00 feet to the intersection thereof with the North right-of-way line of Boca Entrada Boulevard; thence due East, along said North right-of-way line, a distance of 295.94 feet to the intersection thereof with said Ultimate West right-of-way line of State Road No. 7; thence due North, along said Ultimate West right-of-way line, a distance of

414.34 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of U.S. 441 (S.R. 7) and Sandalfoot Boulevard West being on the south by Boca Entrada Boulevard in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:

a) Include both required and proposed interior landscaping calculations within the site data tabular information and delineation of proposed landscaping onsite.

b) Sufficient interior landscaping to conform to the twenty (20) square foot per stall requirement.

c) A six (6) foot solid masonry wall in the five (5) foot landscape buffer between the site and the abutting residential properties.

2. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within the enclosed loading and service area.

3. The rear facades of the building shall be given architectural treatment consistent with the front of the building to avoid an incompatible appearance impact upon nearby residential development.

4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted behind the structure.

5. Security lighting shall be directed away from nearby residences.

6. The required six (6) foot high wall shall receive identical architectural treatment on both sides consistent with the front of the center.

7. No parking of any vehicles shall be permitted along the rear of the shopping center except in designated spaces and unloading areas.

8. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

9. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

10. Any fuel or chemical storage tanks shall be installed in accordance with Chapter 17-61, Florida Administrative Code. The design and installation plans will be submitted to the Health Department for approval prior to installation.

11. Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 17-30, F.A.C.

12. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition per the County Engineers approval. (This condition relates to the additional square footage only.)

13. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements

Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$16,610.00 (6200 trips X \$26.79 per trip).

14. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$4,152.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$20,762.00 to be paid prior to the issuance of a Building Permit or prior to January 1, 1987 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$4,152.00 shall be credited toward the increased Fair Share Fee.

15. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit. (This condition relates to the additional square footage only.)

Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Owens, and upon being put to a vote, the vote was as follows:

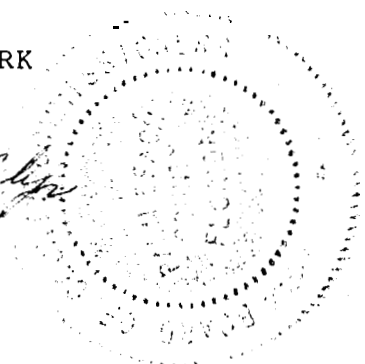
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Ken Spillias, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 10th day of June, 1986 confirming action of the 2nd May 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Randy Ingram
County Attorney